



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshihiro SAKAI et al.

Serial Number: **09/581,818**

Group Art Unit: **2882**

Filed: **June 19, 2000**

Examiner: **C. Kao**

For: **ENCODER**

AMENDMENT UNDER 37 CFR §1.111

Commissioner for Patents
Washington, D.C. 20231

September 26, 2002

Sir:

In response to the Office Action dated July 25, 2002, please amend the above-identified patent application as follows:

IN THE CLAIMS:

Please amend claim 2 as follows:

2. (Twice Amended) An encoder having a code pattern provided on a rotary disk, which detects the rotation speed and rotational position of the rotary disk by receiving light coming from a light emitting element and transmitted through or reflected from said code pattern by a light receiving element; wherein a fixed slit is disposed between said rotary disk and said light receiving element so that a plurality of light receiving windows through which light reflected from or transmitted through the code pattern passes is disposed so as to have a difference in phase at different positions in the radial direction of the rotary disk; the length of

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